

EXHIBIT E

Wilson, Andrew

From: Swenson, Jon
Sent: Thursday, March 5, 2020 7:54 PM
To: Reynolds, Steven J.; Vanderporten, Steven L.; Guy, Hop; Smith, Karina; jpfieweger@michaelbest.com; agollwitzer@michaelbest.com; Wilson, Andrew
Cc: Ives, Erik J.; Koropp, David E.
Subject: RE: Ubiquiti Response to Defendants February 13, 2020 Meet and Confer Letter [IWOV-iManage.FID278983]

Stephen,

As we explained previously on the other email chain regarding the expert disclosures, we provided notice of our intent to review the code on February 6, 2010. That far exceeds the five business days required under the Protective Order. If you do not have all of the tools installed that we requested by tomorrow, that is fine. We will do what we can.

Mr. Zeidman is cleared under the protective order. The other consultants are not yet cleared and the Protective Order prohibits them from access to protected information. Thus, there is no need for a wall as requested.

Finally, Cambium already provided notice on March 3 that its Source Code is available for inspection at our offices in Palo Alto. Ubiquiti has not provided us any notice that it intends to inspect the code but can do so under the terms of the Protective Order.

Mr. Zeidman has already traveled to Chicago and is ready to begin review at 9 am tomorrow morning. If you refuse to let us review the code we will request that Ubiquiti pay for our time and costs for not complying with the Protective Order.

Please confirm that Ubiquiti will make its Source Code available for review by Mr. Zeidman starting at 9 am at your offices tomorrow morning.

Thanks,

Jon

Jon V. Swenson
T +1.650.739.7514
M +1.650.773.9185

From: Reynolds, Steven J. <sreynolds@foxswibel.com>
Sent: Thursday, March 5, 2020 4:34 PM
To: Vanderporten, Steven L. <svanderporten@foxswibel.com>; Swenson, Jon <jon.swenson@bakerbotts.com>; Guy, Hop <hop.guy@BakerBotts.com>; Smith, Karina <karina.smith@bakerbotts.com>; jpfieweger@michaelbest.com; agollwitzer@michaelbest.com; Wilson, Andrew <andrew.wilson@BakerBotts.com>
Cc: Ives, Erik J. <eives@foxswibel.com>; Koropp, David E. <dkoropp@foxswibel.com>
Subject: RE: Ubiquiti Response to Defendants February 13, 2020 Meet and Confer Letter [IWOV-iManage.FID278983]

[EXTERNAL EMAIL]

Andrew,

Allow me to respond to your e-mail (copied below). I'm new to the firm here, so going forward, please add me to all correspondence regarding this case.

The source code computer will not be ready tomorrow. You did not identify the 8 tools you would like installed until late last night. Additionally, there are outstanding issues regarding potential conflicts of others from Mr. Zeidman's firm (e.g., Mr. Baer); we need to take measure to ensure he is screened off until that issue is resolved. Further, under the protective order, we are allowed 5 days' notice, and there is certainly no mandate that one party be allowed to unilaterally choose the date and time. I'm sure you'll appreciate the courtesy of some flexibility when we request to review Defendants' source code.

Further, as mentioned below, we request that Defendants first withdraw their refusal to produce their source code until an indefinite time after Ubiquiti has made its available. Delays in making your source code available will unduly prejudice Ubiquiti, and you still have not provided legal support for your refusal.

We've offered to meet and confer on outstanding discovery issues as early as Monday, despite the fact that you sent your letter and source code requests late last night. Assuming the parties can reach an agreement, we expect to have the computer loaded and ready early next week.

-Steve

Steven,

DirUnzip is a proprietary tool and it is not necessary to install that tool at this time.

In addition, Mr. Zeidman intends to appear at your offices to conduct his inspection of source code beginning at 9am tomorrow morning.

Thanks,

Andrew Wilson

T +1.202.639.1312

M +1.301.807.6646

F +1.202.508.9336

Baker Botts L.L.P.

1299 Pennsylvania Ave., NW

Washington, D.C. 20004-2400

Steve Reynolds

sreynolds@foxswibel.com | 312-224-1249 (direct) | 312-636-4674 (mobile)

FOX SWIBEL

FOX SWIBEL LEVIN & CARROLL LLP

200 W. Madison Street, Suite 3000 | Chicago, Illinois 60606

www.foxswibel.com | 312-224-1200 (main) | 312-224-1201 (fax)

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From: Vanderporten, Steven L.

Sent: Thursday, March 05, 2020 4:57 PM

To: jon.swenson@bakerbotts.com; hop.guy@BakerBotts.com; karina.smith@bakerbotts.com; jpfieweger@michaelbest.com; agollwitzer@michaelbest.com; andrew.wilson@BakerBotts.com

Cc: Ives, Erik J.; Koropp, David E.; Reynolds, Steven J.

Subject: RE: Ubiquiti Response to Defendants February 13, 2020 Meet and Confer Letter [IWOV-iManage.FID278983]

Counsel,

Attached please find a letter from David Koropp responding to your letter sent on March 4th.

We also write to dispute the contentions made in your March 4th e-mail concerning Ubiquiti's source code and Defendants' consultants Nikolaus Baer and Atif Hashmi. Ubiquiti's source code will be made available consistent with the Agreed Confidentiality Order, including to Defendants' counsel and Mr. Zeidman; however, as addressed in the attached letter, and in our letter sent February 18th, we request that you withdraw your improper proposal to make Elevate source code available for inspection only *after* your review of Ubiquiti's source code. There is no basis in the Federal Rules for this one-sided approach to mandatory disclosures. Consistent with your present discovery deadlines, we request that you make the Elevate source code available no later than March 11th.

We also reiterate our request that you supplement your disclosure for Dr. Hashmi. Attached is Dr. Hashmi's resume that was submitted in another case. While you claim this resume is "immaterial," it reveals consulting work on litigation matters that were never disclosed to us (*e.g.*, *Broadcom v. LG, MediaTek et. al* (No. 337-TA-1047)). Our request for you to supplement his disclosure on this ground is entirely reasonable, but you have nonetheless refused. To the extent you file a motion regarding this issue, we will be prepared to raise with the Court the fact that your consultant omitted litigation work from his disclosure. However, should you fully disclose Dr. Hashmi's litigation consulting history, and assuming we have no objections, Dr. Hashmi will be given access to our source code.

Finally, we disagree that we were under any obligation to make substantive objections to your incomplete disclosure of Mr. Baer on February 11th. Notably, you never challenged our objection to the incomplete disclosure or challenged the fact that the supplemental disclosure would determine our deadline to object. Rather, recognizing that Mr. Baer had omitted critical employment information, you supplemented his disclosure on February 27th. Mr. Baer is presently consulting for a competitor of Ubiquiti. Your refusal to give us information necessary to determine whether the nature of his consulting role could harm our client is contrary to the provision in the Agreed Confidentiality Order requiring the Receiving Party to "first attempt to resolve the objection(s)" with the Producing Party. As such, we maintain our objections to Mr. Baer.

We are available Monday to have a telephonic meet and confer, including on the issues over which the parties have exchanged meet and confer letters and on our objections to your consultants Mr. Baer and Dr. Hashmi.

Best,

Steven Vanderporten

Steven L. Vanderporten

svanderporten@foxswibel.com | 312-224-1218 (direct)

FOX SWIBEL

FOX SWIBEL LEVIN & CARROLL LLP

200 W. Madison Street, Suite 3000 | Chicago, Illinois 60606

www.foxswibel.com | 312-224-1200 (main) | 312-224-1201 (fax)

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From: jon.swenson@bakerbotts.com [<mailto:jon.swenson@bakerbotts.com>]
Sent: Wednesday, March 04, 2020 9:43 PM
To: Vanderporten, Steven L.; hop.guy@BakerBotts.com; karina.smith@bakerbotts.com; jpfieweger@michaelbest.com; agollwitzer@michaelbest.com; andrew.wilson@BakerBotts.com
Cc: Ives, Erik J.; Koropp, David E.
Subject: RE: Ubiquiti Response to Defendants February 13, 2020 Meet and Confer Letter [IWOV-iManage.FID278983]

Counsel,

Please see the attached.

Thanks,

Jon

Jon V. Swenson
T +1.650.739.7514
M +1.650.773.9185

From: Vanderporten, Steven L. <svanderporten@foxswibel.com>
Sent: Tuesday, February 18, 2020 7:09 PM
To: Guy, Hop <hop.guy@BakerBotts.com>; Swenson, Jon <jon.swenson@bakerbotts.com>; Smith, Karina <karina.smith@bakerbotts.com>; jpfieweger@michaelbest.com; agollwitzer@michaelbest.com; Wilson, Andrew <andrew.wilson@BakerBotts.com>
Cc: Ives, Erik J. <eives@foxswibel.com>; Koropp, David E. <dkoropp@foxswibel.com>
Subject: Ubiquiti Response to Defendants February 13, 2020 Meet and Confer Letter [IWOV-iManage.FID278983]

[EXTERNAL EMAIL]

Counsel,

Please see the attached correspondence, which responds to your February 13, 2020 letter and related e-mail communications. Thank you.

Best,

Steven Vanderporten

Steven L. Vanderporten
svanderporten@foxswibel.com | 312-224-1218 (direct)

FOX SWIBEL

FOX SWIBEL LEVIN & CARROLL LLP

200 W. Madison Street, Suite 3000 | Chicago, Illinois 60606
www.foxswibel.com | 312-224-1200 (main) | 312-224-1201 (fax)

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